CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing DEFENDANTS DIGITAL POINT SOLUTIONS, INC. AND SHAWN HOGAN'S PARTIAL MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM; MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT THEREOF, DEFENDANTS DIGITAL POINT SOLUTIONS, INC. AND SHAWN HOGAN'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PARTIAL MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, EXHIBIT 1, DECLARATION OF SEYAMACK KOURETCHIAN IN SUPPORT OF DEFENDANTS DIGITAL POINT SOLUTIONS, INC. AND SHAWN HOGAN'S PARTIAL MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and ORDER GRANTING DEFENDANTS DIGITAL POINT SOLUTIONS, INC. ANDS SHAWN HOGAN'S PARTIAL MOTION TO DISMISS were filed with the Court's Electronic Filing System on October 27, 2008 and may be accessed electronically.

s/Seyamack Kouretchian
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